

## **Southwest Iowa ECI: “Iowa Drug & Alcohol Testing Law: Policies & Procedures; Drug Recognition in the Workplace and the Medical Review Officer’s Perspective of Drug & Alcohol Testing”**

The Southwest Iowa Employers’ Council (ECI) and Iowa Workforce Development will be hosting a workshop on “Iowa Drug and Alcohol Testing Law: Policies & Procedures; Drug Recognition in the Workplace, and the Medical Review Officer’s Perspective of Drug & Alcohol Testing”. No business, regardless of size or location, is immune to the countless problems that alcohol and drug abuse can cause. Most individuals who abuse alcohol and other drugs are employed, and when they arrive for work, they don’t leave their problems outside the door. Everyone involved in running a business—both employers and employees—suffer when there is workplace alcohol and drug abuse. Some costs are obvious, such as increased absences, accidents and errors. It also impacts absenteeism, tardiness and productivity rates, worker’s compensation claims and the overall climate and morale of the workplace.

**Date: Wednesday August 18, 2010 from 8:30 am to 4:00 pm**

**Location: Mid-America Center, One Arena Way, Council Bluffs, IA 51503**

**Registration deadline: Friday August 13<sup>th</sup> to Carol Morgan at 712-242-2131 or [carol.morgan@iwd.iowa.gov](mailto:carol.morgan@iwd.iowa.gov).**

**Registration fee: \$75 per person which covers meeting expenses and lunch**

**CEUs:** This program has been approved for 7.0 (General) recertification credit hours towards PHR, SPHR and GPHR recertification through the Human Resource Certification Institute (HRCI); this session also meets the one (1) hour continuing education requirement for supervisors under Iowa Code Section 730.5 9(h) and 7.0 Continuing Legal Education hours for Iowa licensed attorneys. A certificate of attendance will be provided at the training session.

### **WORKSHOP AGENDA:**

#### **“Iowa Drug & Alcohol Testing Law: Updates, Policies and Procedures” with Attorney Ann Holden Kendell**

Topics include:

- Statutory definitions: drugs and alcohol
- Steps an employer must take before commencing any testing
- Employee resources
- Supervisor training
- Who can be tested and circumstances
- Test scheduling, costs, and procedures
- Employer responses to positive tests
- Employer liability issues
- Enforcement
- Other legal considerations
- Iowa Code Section 730.5

Attorney Ann Holden Kendell is a Shareholder with Dickinson, Mackaman, Tyler & Hagen PC Law Firm, Des Moines. Ms. Kendell is a member of the firm’s Employment and Labor Law Group, one of only three such practice groups in Iowa to earn their firm a “Band 1” ranking in the Labor & Employment area in the 2009 edition of *Chambers USA: America’s Leading Lawyers for Business*. Ms. Kendell personally has been listed in the 2010 edition of *The Best Lawyers in America*® in the specialty of Labor and Employment Law and *Chambers USA: America’s Leading Lawyers for Business* in the area of Labor and Employment. She practices primarily in employment law, including counseling employers on hiring, discipline, termination, discrimination and harassment issues, payroll and personnel policies, as well as employment litigation. Ann conducts management training concerning personnel issues and drug testing and has served as an investigator for clients regarding discrimination and harassment allegations.

#### **“Drug Recognition in the Workplace”, with Sergeant Chuck Gorman**

Topics include:

- Physical signs and symptoms of illicit drug usage
- Emotional and behavioral symptoms of illicit drug usage
- Drug paraphernalia; or, “all the items in their toolbox may not be work-related!”

Sergeant Chuck Gorman is on the Council Bluffs Police Department and has been in law enforcement for over 17 years as a Crime Prevention Specialist, an Operation Sergeant on the Southwest Iowa Drug Task Force and currently teaches a Masters Degree program at Doane College, Crete, NE.

**“The Medical Review Officer’s Perspective of Drug & Alcohol Testing”, with Dr Douglas W Martin**

Topics include:

- Drug and alcohol testing...what does it cost a business?
- Drug and alcohol testing as it relates to both private and public businesses
- What are the testing methods? What about cutoffs?
- What does a drug test measure?
- Which drugs are tested and why
- How does it work? What are the safeguards to insure accuracy?
- Drug retention times
- Misinformation about testing and myths surrounding drug and alcohol testing
- What's the best specimen? Urine, Hair, Saliva, Blood or Sweat
- Where are the Feds on new technology?
- What about cold medication? Poppy seeds, passive inhalation of marijuana
- Refusal to test—Adulterants, Substitution
- Negative Dilute—What does it mean? Is it urine?
- Are there products out there to beat a drug test? The World of Adulterants
- What do employees know about drug testing that employers don't?
- Compliance with state and federal regulations and to insurance companies dealing with compensation claims
- DOT Drug and Alcohol Testing Regulations

Dr Doug Martin, MD, FAAFP, FACOEM, FAADEP, CIME, CEDIR is the Chief Medical Review Officer with St Lukes Center for Health and Occupational Wellness, Sioux City, IA. Douglas Martin, MD attended the University of Nebraska-Lincoln, graduating with a BS in Biological Sciences with Highest Distinction. He attended the University of Nebraska Medical Center, receiving the Doctor of Medicine degree with Distinction in 1991. He is currently serving ACOEM as the Chair of the Medical Review Officer Section and authored ACOEM's official comments on the Federal Department of Transportation Revised Drug & Alcohol Testing Rules.

All business owners, human resource personnel, managers, line supervisors, attorneys, paralegals, medical professionals and human resource outsourcing companies are invited to attend. Due to the complex nature of this topic, employers are encouraged to send multiple staff.

The Southwest IA Employers' Council is a local employer group supported by Iowa Workforce Development Region 13 including Harrison, Shelby, Pottawattamie, Mills, Cass, Freemont and Page counties, and is part of the statewide Employers' Council of Iowa system. All businesses, including Iowa, Nebraska and Missouri employers are welcome to attend ECI events. This employer's group addresses workforce issues, and provides both educational and networking opportunities for employers and human resource professionals.

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